



Pillsbury
Winthrop
Shaw
Pittman LLP

2475 Hanover Street
Palo Alto, CA 94304-1114
Tel 650.233.4500 | Fax
650.233.4545
www.pillsburylaw.com

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Date: March 28, 2006

Must Be Sent By:

To: Examiner: Christopher Brown
Art Unit: 2134

Fax No: (571) 273-8300

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From: Mark J. Danielson

Phone No: (650) 233-4777

User No: 13068

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Re: U.S. Serial No. 09/801,468

Filing Date: March 7, 2001

First Named Inventor: Luz Maria Camacho et al.

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By:

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Attachments:

1. Notice of Appeal
2. Transmittal for Pre-Appeal Brief Request for Review
3. Pre-Appeal Brief Request for Review

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Luz Maria Camacho et al.

Confirmation No. 4973

Serial No.: 09/801,468

Examiner: Brown, Christopher J.

Art Unit: 2134

Filed: March 7, 2001

Atty. Docket No. 010942-0269936

AWT-003

For: Method and Apparatus for Reducing On-Line Fraud Using Personal Digital Identification

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TRANSMITTAL FOR PRE-APPEAL BRIEF REQUEST FOR REVIEW

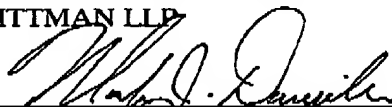
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Sir:

Applicants request review of the Office Action mailed January 13, 2006 for which a response is due April 13, 2006. No amendments are being filed with this request. The Commissioner is authorized to charge any required fee to Pillsbury Winthrop Shaw Pittman LLP's deposit account no. 03-3975 (order no. 010942-0269936). This request is being filed with a Notice of Appeal, which is proper because the claims have been rejected two or more times (see Rule 191). The review is requested for the reason(s) stated on the attached sheets.

Respectfully submitted,
PILLSBURY WINTHROP SHAW
PITTMAN LLP

Date: March 28, 2006


Mark J. Danielson
(650) 233-4777

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Reg. No.

Camacho et al.
Serial No. 09/801,468

Pre-Appeal Request for Review
010942-0269936 / AWT-003

PRE-APPEAL BRIEF REQUEST FOR REVIEW

Applicants incorporate and restate prior arguments made in response to rejections made in previous Office Actions. Claims 1, 2, 4-8, 10-16, 18-21, 23-27, 29-35, 37-40, and 45-51 are pending in the application. Claims 1, 20, and 39 are independent claims.

Independent Claims 1, 20 and 39 Require Storing Business Rules For A Plurality of Companies, Identifying a Company Associated With A Requested Online Resource from the Plurality of Companies and Retrieving Business Rules For the Identified Company

Independent claim 1 explicitly requires (with similar limitations in claims 20 and 39):

A method for reducing the occurrence of unauthorized use of on-line resources, comprising:

- [1] storing business rules for a plurality of companies having on-line resources;
receiving a message indicating a request from a user to use on-line resources;
- [2] identifying a company associated with the requested on-line resource from among the plurality of companies;
- [3] retrieving the stored business rules for the identified company

Neither Pereira Nor Viavant, Alone or In Combination, Disclose or Suggest All Claim Limitations

Independent claims 1, 20, 39 stand rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 6,931,402 Pereira III et al. ("Pereira") in view of U.S. Patent No. 5,784,566 Viavant et al. ("Viavant"). As set forth more fully below, since Pereira and Viavant, alone or in combination, do not meet all the limitations of independent claim 1, 20, and 39, the Examiner has not established a **prima facie** case of obviousness. MPEP 2143.03.

Neither Pereira nor Viavant Teaches the Storage of Business Rules Associated With a Plurality of Companies Having On-Line Resources

The independent claims all require storing business rules associated with a **plurality of companies** having on-line resources. The Office Action does not allege that Viavant discloses this subject matter, and instead relies on Pereira for meeting these limitations.

However, Pereira does not teach the storage of business rules associated with a plurality of companies having on-line resources. Rather, Pereira merely teaches a system for storing profiles of users who may access on-line resources **for a single company**, in which users may belong to different companies other than the **single company**.

Pereira specifically teaches the storage of user profile records for “controlling access for a plurality of users to a plurality of objects located in at least one electronic database.” (col. 2 lines 18-22). In Pereira’s profile system, users from different companies may have user profile records and the profile records merely contain an attribute identifying which company a user is associated with. Other attributes (e.g. Role and Function) specify additional access profiles.

The exemplary embodiment of Pereira describes linked profile records for a single company **Company A** (see FIG. 1, one of the attributes is “Company A Internal”). Nowhere does Pereira disclose or suggest storing rules for accessing other on-line resources of other companies. Instead, Pereira is merely directed to a profiling system that stores profiles for Company A’s resources, possibly by users from Company B and Company C via an Extranet that links Company A with Company B and Company C.

Thus, Pereira specifically teaches storing profile records relating to access of resources of **one company**. Since Pereira does not disclose storing any rules for a **plurality of companies**, Pereira fails to teach the limitations of claims 1, 20, and 39.

Neither Pereira nor Viavant Teaches the Identification of a Company Associated With a Requested On-Line Resource From a Plurality of Companies

The independent claims all require identifying a company **associated with a requested on-line resource from a plurality of companies**. The Office Action does not allege that Viavant teaches this subject matter and instead relies on Pereira for meeting these limitations.

As shown above, Pereira merely teaches the storage of user profile records for “controlling access for a plurality of users to a plurality of objects located in at least one electronic database.” (col. 2 lines 18-22). In Pereira’s profile system, users from different companies may have user profile records and the profile records merely contain an attribute identifying which company a user is associated with.

Nothing in Pereira teaches or suggests **identifying a company from a plurality of companies**, much less a **company associated with a requested on-line resource** as required by the independent claims.

The exemplary embodiment of Pereira describes maintaining and accessing linked profile records for a **single company Company A** (see FIG. 1, one of the attributes is "Company A Internal"). Pereira teaches **nothing** about identifying Company A **from a plurality of companies** in association with a request for an on-line resource. Presumably, Pereira's profile system is accessed when a user attempts to log in to Company A's system. Accordingly, there is no need or suggestion for having to identify Company A from a plurality of companies.

Since Pereira does not disclose identifying a company **from a plurality of companies** in association with a requested on-line resource, Pereira fails to teach the limitations of claims 1, 20, and 39.

Neither Pereira nor Viavant Teaches Retrieving Business Rules for a Company Associated With a Requested On-Line Resource

For similar reasons as set forth above in the preceding section, nothing in Pereira teaches or suggests **identifying a company associated with a requested on-line resource from among a plurality of companies** as required by the independent claims. Accordingly, there is no need or suggestion of **retrieving stored business rules for the identified company** as required by the independent claims.

Pereira merely describes maintaining and accessing linked profile records for a **single company Company A** (see FIG. 1, one of the attributes is "Company A Internal"). Pereira teaches **nothing** about identifying Company A **from a plurality of companies** in association with a request for an on-line resource, and so it cannot retrieve business rules for such an identified company. Presumably, Pereira's profile system is accessed **always** when a user attempts to log in to Company A's system. Accordingly, there is no need or suggestion for having to identify Company A from a plurality of companies, or retrieving rules for an identified company, Pereira fails to teach the limitations of claims 1, 20, and 39 for this additional reason.

The Alleged Combination Of Pereira and Viavant Would Not Suggest the Claimed Invention

The independent claims all require storing business rules for a plurality of companies, wherein the business rules determine whether authentication is required for a given user, identifying a company associated with a request for access to on-line resource, and retrieving the business rules associated with the on-line resource.

Pereira merely teaches the maintenance of profile database records based on user attributes which profile access to one company's databases. (See Figs. 1-3; col. 2 lines 24-42.) Viavant merely teaches a negotiation process between a client and server to determine which authentication process to use based on a comparison of the client's list of authentication methods with the server's list of authentication methods.

Since neither Viavant nor Pereira teach or suggest how to control access to resources of a plurality of companies, the alleged combination of Viavant and Pereira would not suggest all the limitations of independent claims 1, 20, and 39, even if they could be combined as alleged in the Office Action. Accordingly, Applicants submit independent claims 1, 20 and 39, together with claims 2, 4-8, 10-16, 18, 19, 21, 23-27, 29-35, 37, 38, 40, 43 and 45-51 that depend therefrom, patentably define over Viavant and Pereira.

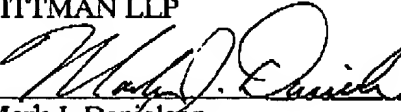
No Other Cited Prior Art Cures the Deficiencies of Pereira III and Viavant With Respect to Independent Claims 1, 20, and 39

Claims 2, 7, 8, 21, 26, 27, 40, and 43 stand rejected under 35 U.S.C. 103(a) as being allegedly unpatentable over Pereira III in view of Viavant in view of US Patent 6,157,707 Baulier et al. ("Baulier"). Claims 10-16 and 29-35 stand rejected under 35 U.S.C. 103(a) as being unpatentable over Pereira III in view of Viavant in view of US Patent 5,708,422 Blonder et al. ("Blonder"). Claims 46-51 stand rejected as being allegedly unpatentable over Pereira III in view of Viavant in view of Baulier in view of Spiegel et al. US Patent 6,466,918. These claims depend ultimately from independent claims 1, 20 and 39 and thus are patentable for at least the reasons presented above. The deficiencies noted above are not cured by the alleged combinations with Baulier, Blonder, or Spiegel. Neither Baulier, Blonder, nor Spiegel teach or suggest the storage of business rules associated with a plurality of companies, nor the identification of a company from a plurality of companies as required by claims 1, 20, and 39.

For at least the foregoing reasons, the rejections of the claims are improper and should be withdrawn.

Respectfully submitted,
PILLSBURY WINTHROP SHAW
PITTMAN LLP

Date: March 28, 2006



Mark J. Dangelson
(650) 233-4777

40,580
Reg. No.